



General Assembly

January Session, 2007

Raised Bill No. 7124

LCO No. 3890

03890_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

***AN ACT CONCERNING NATURAL RESOURCE PROGRAMS OF THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-143a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2008*):

3 All fyke, trap or pound nets shall be buoyed, and the buoy shall
4 bear the registration or license number issued to the owner in figures
5 at least six inches long and each stroke thereof not less than one-half
6 inch wide. The figures shall be painted in black on a light background.
7 The buoy bearing the identification of the owner shall be maintained in
8 a conspicuous place at or near the bowl or heart of the fyke, trap or
9 pound net. [All] The terminal float at both ends of gill nets, seines or
10 similar devices shall [have attached thereto a metal tag, furnished by
11 the commissioner, bearing] be legibly and durably marked or branded
12 with the license number of the owner in characters not less than three-
13 quarters of an inch in height. All boats used to set or tend lobster pots,
14 gill nets, seines, traps, fykes, pounds, eel pots, otter trawls, beam
15 trawls, balloon trawls, or similar devices licensed or registered under
16 the provisions of section 26-142a, shall display in a conspicuous

17 position a license or registration flag furnished by the commissioner.

18 Sec. 2. Section 26-159c of the general statutes is repealed and the
19 following is substituted in lieu thereof (*Effective January 1, 2008*):

20 Prior to the adoption of any regulation under subsection (d) of
21 section 26-142a or section 26-159a, the commissioner or his designated
22 representative shall conduct a public hearing or hearings in those
23 coastal areas where persons substantially affected by such regulation
24 and having an interest therein may be heard. [The commissioner shall
25 cause notice of such hearing or hearings to be published at least once
26 not more than thirty days and not fewer than ten days before the date
27 set for such hearing or hearings in a newspaper or newspapers having
28 general circulation in those areas which may be affected by such
29 regulation.]

30 Sec. 3. Section 26-27 of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective January 1, 2008*):

32 (a) Except as provided in subsection (b), (c), (e), [or] (f) or (g) of this
33 section and other provisions of this chapter providing specific license
34 exemption, no person shall take, hunt or trap, or shall attempt to take,
35 hunt or trap, or assist in taking, hunting or trapping, any wild bird or
36 mammal and no person more than sixteen years of age shall take,
37 attempt to take, or assist in taking any fish or bait species in the inland
38 waters or marine district by any method or land marine species in the
39 state regardless of where taken, without first having obtained a license
40 as provided in this chapter. No person under sixteen years of age shall
41 hunt or trap, except as provided in section 26-38.

42 (b) Any landowner who has a domiciliary residence in this state, his
43 spouse or lineal descendants may hunt, trap or fish on land owned by
44 him or on land leased by him and on which he is actually domiciled,
45 which land is not used for club, fishing or hunting purposes, without a
46 license, subject to the provisions of this chapter.

47 (c) No fishing license shall be required for any person who is rowing
48 a boat or operating the motor of a boat from which other persons are
49 taking or attempting to take fish.

50 (d) The taking of fish and bait species as herein provided shall be
51 regarded as sport fishing and the taking or landing of such species in
52 the inland waters or marine district by commercial methods for
53 commercial purposes shall be governed by other provisions of this
54 chapter.

55 (e) No fishing license shall be required for any resident of the state
56 who is participating in a fishing derby authorized in writing by the
57 Commissioner of Environmental Protection provided (1) no fees are
58 charged for such derby, (2) such derby has a duration of one day or
59 less and (3) such derby is sponsored by a nonprofit civic service
60 organization. Such organization shall be limited to one derby in any
61 calendar year.

62 (f) The Commissioner of Environmental Protection may designate
63 one day in each calendar year when no license shall be required for
64 sport fishing.

65 (g) No fishing license shall be required for any person who is fishing
66 as a passenger on a party boat, charter boat or head boat registered
67 under section 26-142a and operating solely in the marine district.

68 Sec. 4. Section 26-28 of the general statutes is repealed and the
69 following is substituted in lieu thereof (*Effective January 1, 2008*):

70 (a) Except as provided in subsection (b) of this section, the fees for
71 firearms hunting, archery hunting, trapping and sport fishing licenses
72 or for the combination thereof shall be as follows: (1) Resident firearms
73 hunting license, fourteen dollars; (2) resident inland waters fishing
74 license, twenty dollars; (3) resident marine waters fishing license,
75 fifteen dollars; (4) resident all-waters fishing license, twenty-five
76 dollars; [(3)] (5) resident combination license to [firearms hunt and]

77 fish in inland waters and firearms hunt, twenty-eight dollars; (6)
78 resident combination license to fish in all waters and firearms hunt,
79 thirty dollars; (7) resident combination license to fish in all waters and
80 bow and arrow permit to hunt deer and small game, issued pursuant
81 to section 26-86c, forty-two dollars; (8) resident firearms super sport
82 license to fish in all waters and firearms hunt, firearms private land
83 shotgun/rifle deer permit issued pursuant to section 26-86a and
84 permit to hunt wild turkey during the spring season on private land,
85 issued pursuant to section 26-48a, fifty-eight dollars; (9) resident
86 archery super sport license to fish in all waters, bow and arrow permit
87 to hunt deer and small game, issued pursuant to section 26-86c and
88 permit to hunt wild turkey during the spring season on private land,
89 issued pursuant to section 26-48a, fifty-two dollars; [(4)] (10) resident
90 trapping license, twenty-five dollars; [(5)] (11) resident junior trapping
91 license for persons under sixteen years of age, three dollars; [(6)] (12)
92 junior firearms hunting license, three dollars; [(7)] (13) nonresident
93 firearms hunting license, sixty-seven dollars; [(8)] (14) nonresident
94 inland waters fishing license, forty dollars; [(9)] (15) nonresident inland
95 waters fishing license for a period of three consecutive days, sixteen
96 dollars; (16) nonresident marine waters fishing license, thirty dollars;
97 (17) nonresident marine waters fishing license for a period of three
98 consecutive days, twelve dollars; (18) nonresident all-waters fishing
99 license, fifty dollars; [(10)] (19) nonresident combination license to
100 [firearms hunt and] fish in inland waters and firearms hunt, eighty-
101 eight dollars; [and (11)] (20) nonresident combination license to fish in
102 all waters and firearms hunt, ninety-five dollars; and (21) nonresident
103 trapping license, two hundred dollars. Persons sixty-five years of age
104 and over who have been residents of this state for not less than one
105 year and who meet the requirements of subsection (b) of section 26-31
106 may be issued [a lifetime] an annual license to firearms hunt or to fish
107 or combination license to fish and firearms hunt or a license to trap,
108 [without fee.] Persons issued a lifetime license or licenses prior to
109 January 1, 2008, must obtain an annual license or licenses to retain
110 firearms hunting, fishing or trapping privileges. There shall be no fee

111 for annual licenses issued to persons having reached sixty-five years of
 112 age or older as of December 31, 2007. The annual fees for licenses
 113 issued to persons reaching age sixty-five after December 31, 2007, shall
 114 be as follows: (A) To firearms hunt, ten dollars; (B) to fish in all waters,
 115 ten dollars; (C) combination license to fish in all waters and firearms
 116 hunt, fifteen dollars; and (D) to trap, ten dollars. The issuing agency
 117 shall indicate on a combination license the specific purpose for which
 118 such license is issued. The town clerk shall retain a recording fee of one
 119 dollar for each license issued by him.

120 (b) Any nonresident residing in one of the New England states or
 121 the state of New York may procure a license to hunt or to fish or to
 122 hunt and fish for the same fee or fees as a resident of this state if he is a
 123 resident of a state the laws of which allow the same privilege to
 124 residents of this state.

125 Sec. 5. Section 26-35 of the general statutes is repealed and the
 126 following is substituted in lieu thereof (*Effective January 1, 2008*):

127 Each firearms hunting, archery hunting, trapping or sport fishing
 128 license or the combination firearms hunting and fishing license, except
 129 licenses issued pursuant to subdivisions [(7)] (11) and [(10)] (17) of
 130 subsection (a) of section 26-28, as amended by this act, shall expire
 131 December thirty-first next following the date of issue and shall not be
 132 transferable. No person shall change or alter such a license or loan to
 133 another or permit another to have or use such license issued to himself
 134 or use any license issued to another. All licenses shall be carried as
 135 designated by the commissioner at all times when such licensee is
 136 hunting, trapping or sport fishing and shall be produced for
 137 examination upon demand of any conservation officer or other
 138 employee of the department designated by the commissioner or any
 139 other officer authorized to make arrests or the owner or lessee or the
 140 agent of any owner or lessee of any land or water upon which such
 141 licensed person may be found. Whenever the commissioner has
 142 designated any land or water area a wildlife management study area,

143 he may require such licensee to surrender his license upon entering
144 such area and issue to the licensee an arm band, back tag or other
145 identification. The license shall be returned to the licensee upon
146 leaving such area. Each person receiving a license to hunt or to trap
147 shall make an annual report to the commissioner in such form and at
148 such time as may be required by him showing the numbers and kinds
149 of birds and quadrupeds killed or trapped. A firearms hunting or a
150 combination firearms hunting and fishing license shall not authorize
151 the carrying or possession of a pistol or revolver.

152 Sec. 6. Section 26-46 of the general statutes is repealed and the
153 following is substituted in lieu thereof (*Effective January 1, 2008*):

154 (a) If and when the state of New York, the state of Massachusetts or
155 the state of Rhode Island enacts a similar law granting reciprocal
156 privileges to residents of this state, any person who holds a license to
157 fish in the state of New York, the state of Massachusetts or the state of
158 Rhode Island may fish in waters lying partly in this state and partly in
159 such adjoining state, or in such waters as negotiated by the
160 Commissioner of Environmental Protection of this state and any
161 similar authority in such adjoining state, without a nonresident license
162 to fish as required by this chapter; provided such nonresidents shall be
163 subject to all other provisions of the statutes and the regulations of the
164 commissioner relating to fishing in lakes and ponds.

165 (b) If and when the state of New York, the state of Massachusetts,
166 the state of New Hampshire, the state of Maine or the state of Rhode
167 Island enacts a similar law granting reciprocal privileges to residents
168 of this state, any nonresident who holds a marine or all-waters fishing
169 license issued by one of the aforementioned states may fish in the
170 marine district or land marine species in Connecticut and is not
171 required to purchase a Connecticut nonresident marine or all-waters
172 license. Such nonresidents shall be subject to all other provisions of the
173 statutes and the regulations of the commissioner relating to fishing in
174 the marine district.

175 Sec. 7. Subsection (a) of section 26-142a of the general statutes is
176 repealed and the following is substituted in lieu thereof (*Effective*
177 *January 1, 2008*):

178 (a) For the purposes of this section, an environmental tourism cruise
179 vessel is one which is operated for a fee for the purpose of education
180 and observation and retention of marine and estuarine resources
181 collected under the conditions of the permit issued under this section,
182 except that holders of a permit issued under section 26-60 shall not be
183 required to obtain a permit under this section. No person shall operate,
184 use or attempt to operate or use a vessel for commercial fishing or
185 landing activities authorized by this section unless the commissioner
186 has issued a vessel permit for such vessel to the owner of the vessel.
187 No person shall operate, use or attempt to operate or use a vessel or
188 commercial fishing gear for environmental tourism cruises authorized
189 by this section unless the commissioner has issued an environmental
190 tourism cruise permit for such vessel, including conditions for the use
191 of such fishing gear, to the owner of the vessel. No person shall use or
192 assist in using commercial fishing gear in any water of the state or land
193 in this state any species taken by commercial fishing gear or for
194 commercial purposes, regardless of where such species was taken,
195 unless such person has been licensed by the Commissioner of
196 Environmental Protection to use such commercial fishing gear or land
197 such species; except that any person who holds a license to use gill
198 nets, lobster pots, trawl nets, sea scallop dredges, seines, traps, fish
199 pots, fykes, hook and line, long lines or eel pots may, when using such
200 gear, be accompanied and assisted by persons not so licensed. A
201 resident of a state which does not issue commercial licenses to take eels
202 to residents of Connecticut shall not be eligible to obtain a commercial
203 license to take eels in the waters of this state or to land eels in this state.
204 No vessel shall be used to land any finfish, lobsters, crabs, including
205 blue crabs and horseshoe crabs, sea scallops, squid or bait species for
206 sale, barter, exchange, consignment or transportation to any point of
207 sale unless an operator of the vessel is licensed for such purpose,
208 except that any person who holds a commercial fishing license issued

209 by the commissioner to fish by the method used to take such species,
210 regardless of where such species were taken, shall not be required to
211 obtain a landing license. No person shall take or attempt to take
212 lobsters or horseshoe crabs for personal use by hand or by scuba
213 diving or skin diving unless such person has been licensed by the
214 commissioner to take lobsters or horseshoe crabs by such methods. No
215 person shall take or attempt to take finfish for commercial purposes by
216 the use of hook and line, including, but not limited to, rod and reel,
217 hand line, set line, long line, or similar device unless such person has
218 been licensed by the commissioner to use such gear for commercial
219 purposes, except that notwithstanding the issuance of such a license,
220 no person shall take finfish for commercial purposes in the inland
221 district by the use of hook and line. The use of a purse seine or similar
222 device is prohibited. No pound net shall be used to take finfish unless
223 such pound net is registered with the commissioner. Lobsters and blue
224 crabs taken in pound nets shall be released unharmed. No person shall
225 buy for resale finfish, lobsters, crabs, including blue crabs and
226 horseshoe crabs, sea scallops or squid landed in Connecticut from any
227 commercial fisherman unless such buyer and commercial fisherman
228 have been licensed by the commissioner. A licensed commercial
229 fisherman who acts as a seafood dealer may, without holding a
230 seafood dealer license, sell, ship, consign, transfer or barter his or her
231 own catch of finfish, lobsters, crabs, including blue crabs and
232 horseshoe crabs, sea scallops or squid landed in this state. No person
233 shall take blue crabs for commercial purposes except by scoop net,
234 hand line or manually operated and personally attended devices
235 approved by the commissioner and unless such person has been
236 licensed by the commissioner. No person shall operate a charter boat,
237 party boat or head boat for the purpose of fishing unless such boat has
238 been registered for such purpose with the commissioner and such
239 person holds a current passenger-for-hire license issued by the United
240 States Coast Guard. The owner, operator or captain of any such boat
241 may sell the boat's or crew's share of any tuna species if such sale is not
242 prohibited on the basis of species, size or closed season. For the

243 purposes of this chapter, a charter boat, party boat or head boat is a
 244 vessel operated for a fee for the purpose of transporting and providing
 245 a fishing platform for sport fishermen taking marine species in
 246 Connecticut waters or landing marine species at Connecticut ports
 247 regardless of where such species are taken. The commissioner may by
 248 regulations adopted in accordance with the provisions of chapter 54
 249 exempt certain minnow seines, cast nets, scoop nets, traps, eel pots,
 250 seines less than thirty feet in length or any similar device used to take
 251 bait species and other species for personal use under a sport fishing
 252 license. [in the inland district and without a license in the marine
 253 district.] No vessel used to take bait species may employ a fish pump.
 254 Persons licensed, registered or issued a permit to engage in activities
 255 authorized by this subsection shall carry on their persons or in the
 256 vessel being used to engage in such activity the permit, license or
 257 registration covering such activity.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2008</i>	26-143a
Sec. 2	<i>January 1, 2008</i>	26-159c
Sec. 3	<i>January 1, 2008</i>	26-27
Sec. 4	<i>January 1, 2008</i>	26-28
Sec. 5	<i>January 1, 2008</i>	26-35
Sec. 6	<i>January 1, 2008</i>	26-46
Sec. 7	<i>January 1, 2008</i>	26-142a(a)

Statement of Purpose:

To change the method of marking fishing nets, to eliminate newspaper notification of fishing regulations, to establish a marine sport fishing license and impose a license fee for recreational anglers fishing in the marine district, to change fishing license expiration dates, to provide reciprocity with New York and New England states and to change references to the taking of bait species to conform to the new marine sport fishing license requirements.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]